



THE CITY OF NEW YORK
LAW DEPARTMENT

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RECEIVED

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LORETTA A. PRESKA
U. S. DISTRICT JUDGE
S. D. N. Y.

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April 7, 2008

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VIA HAND DELIVERY

Honorable Loretta A. Preska
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Castillo v. City of New York, et al., 08 CV 02915 (LAP)

Your Honor:

I am the Assistant Corporation Counsel assigned to the defense of this matter on behalf of the City of New York. I am writing to request that defendant's time to answer, move or otherwise respond to the complaint be extended by sixty days from the current due date of April 15, 2008 to June 16, 2008. I contacted plaintiff's counsel today and he consents to this request.

There are several reasons for seeking an enlargement of time. In his complaint, plaintiff alleges, *inter alia*, that he was falsely arrested, maliciously prosecuted and assaulted. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. Furthermore, it is our understanding that these records are sealed pursuant New York Criminal Procedure Law § 160.50. We have forwarded the necessary consent authorization to plaintiff so that we can access the sealed records. Furthermore, since plaintiff alleged injuries resulting from the events complained of, this forwarded to plaintiff a consent and authorization for the release of medical records, limited, at this juncture, to medical records concerning treatment received as a result of the alleged incident, so that defendant can properly assess the case and respond to the complaint.

No previous request for an extension has been made by either party. There are no scheduled conferences that will be affected by this proposed extension. Accordingly, it respectfully requested that the Court grant defendant's application to extend its time to answer or otherwise respond to the complaint from April 15, 2008 to June 16, 2008.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

April 9, 2008

Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig Hanlon', with a large, stylized initial 'C'.

Craig Hanlon (CH 5679)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: David Segal, Esq.
Attorney for Plaintiff
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